

EXHIBIT H

[PROPOSED] NOTICE OF COLLECTIVE ACTION LAWSUIT

Schur, et al. v. Strategic Financial Solutions, LLC, et al., Case No: 17-cv-00546
United States District Court, Southern District of New York

TO: All Present and Former Employees of Strategic Financial Solutions, LLC and Strategic Consulting, LLC, Ryan Sasson and Kim Celic (“SFS” or “Defendants”) who were employed as Sales Representatives (“Plaintiffs”) at any time from January 26, 2014 through the present.

RE: Lawsuit Alleging Unpaid Overtime Wages.

PLEASE READ THIS NOTICE CAREFULLY.

THIS NOTICE COULD AFFECT YOUR LEGAL RIGHTS.

I. INTRODUCTION

The purpose of this Notice is to inform you of the existence of a collective action lawsuit in which you are potentially “similarly situated” to the Named Plaintiff, to advise you of how your rights may be affected by this suit, and to instruct you how to participate if you choose. You are not being sued.

II. DESCRIPTION OF THE LAWSUIT

On January 26, 2017, Named Plaintiff Daniel Schur (“Named Plaintiff”) brought this lawsuit against SFS on behalf of himself and all other current and former employees who were designated, paid, or employed as Sales Representatives by SFS at any time from January 26, 2014 to the present and were not paid overtime wages for all hours worked over 40 in any given workweek, and who have not already had their claims for unpaid overtime wages previously adjudicated. The lawsuit was filed in the United States District Court, Southern District of New York, and alleges that Defendants failed to pay Sales Representatives proper overtime payments in violation of the federal Fair Labor Standards Act (“FLSA”).

The Named Plaintiff seeks to recover overtime compensation, liquidated damages, and reasonable attorneys’ fees and litigation costs on behalf of himself and all similarly-situated current and former Sales Representatives.

SFS denies the allegations presented in the lawsuit, maintains that it properly paid overtime to its Sales Representatives, and did not violate the FLSA.

The Court has not made any determination on the merits of Plaintiffs’ allegations. There is no money available now, and no guarantee there will be.

III. COMPOSITION OF THE COLLECTIVE CLASS

The Named Plaintiff seeks to sue on behalf of himself and also on behalf of other employees who are similarly situated. Specifically, the Named Plaintiff seeks to sue on behalf of

any persons who, at any time from January 26, 2014 to the present, were employed by Defendants as Sales Representatives, were not paid overtime wages for hours worked over 40 in any given workweek, and who have not already had their claims for unpaid overtime wages previously adjudicated.

IV. YOUR RIGHT TO PARTICIPATE IN THIS SUIT

If you fit the definition above, you may join this suit (that is, you may “opt in”) by returning your completed and signed “Opt-In Consent Form” via U.S. Mail, facsimile or e-mail to Plaintiffs’ counsel at the following address:

Stephan Zouras, LLP
ATTN: SFS UNPAID OVERTIME ACTION
205 N. Michigan Ave. Suite 2560
Chicago, IL 60601
(312) 233-1550
(312) 233-1560 (f)
lawyers@stephanzouras.com

This form must be returned in sufficient time to have Plaintiffs’ counsel file it with the federal court on or before [60 DAYS AFTER NOTICE ISSUES]. If you fail to return the “Opt-In Consent Form” to Plaintiffs’ counsel in time for it to be filed with the federal court on or before the above deadline date, you may not be able to participate in this lawsuit.

If you file an “Opt-In Consent Form,” your continued right to participate in this suit may depend upon a later decision by the Court that you and the Named Plaintiff are actually “similarly situated” in accordance with federal law.

V. EFFECT OF JOINING THIS SUIT

If you choose to join this lawsuit, you will be bound by the judgment or settlement, whether it is favorable or unfavorable. While the lawsuit is pending, you may be required to provide information, have your deposition taken, and testify in court. If you join this action, and the Court rules completely in favor of Defendants, you will be entitled to no relief. The attorneys for the Plaintiffs are being paid on a contingency fee basis, which means that if there is no recovery, there will be no attorneys’ fee. If there is a recovery, these attorneys will receive a part of any settlement obtained or money judgment entered in favor of all members of the collective action lawsuit. By joining this lawsuit, you designate the Named Plaintiff as your agent to make decisions on your behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs’ counsel concerning attorneys’ fees and costs, and all other matters pertaining to this lawsuit. These decisions and agreements made and entered into by the Named Plaintiff will be binding on you if you join this lawsuit.

VI. NO LEGAL EFFECT IN NOT JOINING THIS SUIT

If you choose not to join this lawsuit, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable. If you choose not to join this lawsuit, you are free to file your own lawsuit.

VII. NO RETALIATION PERMITTED

In the event you join this lawsuit and exercise your rights under the FLSA, federal law prohibits Defendants from discharging or in any other manner discriminating or retaliating against you. In the event you join this lawsuit and you believe that any such discrimination or retaliation has occurred, you should notify Plaintiffs' counsel.

VIII. YOUR LEGAL REPRESENTATION IF YOU JOIN

Counsel representing the Named Plaintiff in this lawsuit are: James B. Zouras, Esq., Ryan F. Stephan, Esq., and Teresa M. Becvar, Esq. of STEPHAN ZOURAS, LLP, 205 N. Michigan Ave., Suite 2560, Chicago, IL 60601, (312) 233-1550, Fax: (312) 233-1560, email: lawyers@stephanzouras.com, and Jonathan I. Nirenberg of RABNER BAUMGART BEN-ASHER & NIRENBERG, P.C., 52 Upper Montclair Plaza, Upper Montclair, NJ 07043, (973) 744-4000, Fax: (973) 783-1524, email: jnirenberg@njemploymentlawfirm.com. Unless you choose another lawyer, these attorneys would represent you in this lawsuit if you wish to join the lawsuit.

IX. FURTHER INFORMATION

Further information about this Notice, filing an "Opt-In Consent Form," or questions concerning this lawsuit, may be obtained by writing, telephoning or emailing any of Plaintiffs' counsel at the address, telephone number and email address provided above.

****PLEASE NOTE****

There is a two (2) year deadline for filing claims (or three (3) years if the violation was willful) running from the date(s) the hours were actually worked. To maximize your recovery, you should return your Opt-In Consent Form as soon as possible so we may file it with the Court and preserve your rights.